

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5381 of 2026

=====

Nawal Kumar Son of Mithlesh Singh, Resident of village- Khankulipur, P.S.-
Arwal, District-Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The State Election Commission, Sone Bhawan Veerchand Patel Marg, Patna.
3. The Commissioner, State Election Commission, Sone Bhawan Veerchand Patel Marg, Patna.
4. The Secretary, State Election Commission, Sone Bhawan, Veerchand Patel Marg, Patna.
5. The District Magistrate, Arwal.
6. The Additional Collector (Departmental Enquiry), Arwal.
7. The Deputy Electoral Officer, Arwal.
8. The Sub-Divisional Officer, Arwal.
9. The Executive Officer, Arwal Nagar Parishad, Arwal.
10. Sadhna Kumari, Wife of Ramakant Kumar, Resident of village- Chotki Ahiyapur, P.S.- Arwal, District- Arwal. At present Chairman, Arwal Nagar Parishad, Arwal.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shyam Kishore, Advocate
For the State	:	Mr. AC to GP- 3
For the SEC	:	Mr. Ravi Ranjan, Advocate Mr. Girish Pandey, Advocate
For the Nagar Parishad	:	Mr. Ranjeet Choubey, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 30-04-2026 Heard learned counsel for the petitioner and learned
counsel for the State Election Commission.



2. The petitioner has filed the instant application for the following reliefs:

“1. A. A writ in the nature of MANDAMUS or other appropriate writ/s, order/s, direction/s commanding the Respondents for the following:-

i. To disqualify the Respondent No. 10 namely Sadhna Kumari under section 18(1) & (2) of the Bihar Municipal Act, 2007 (as amended) (hereinafter referred as "Act, 2007"] from the post of Chief Councillor/Chairman, Arwal Nagar Parishad, Arwal on account of that she did not deposit/submit the Holding Tax of the properties situated at House No. 2 (residence of the O.P.), near DSP residence, Arwal Lakh, Bigh canal road (Mukhya Badi Nahar Sadak) and House No. 3 near H.P. Gas godown, Arwal Nagar Parishad, Arwal, not convening the Board meetings and meeting of the Empowered Standing Committee on time as well as she awarded contract to her sister in law namely Mikki Kumari contrary to Section 53 of the Act, 2007.



ii. In alternative, to direct the Respondent No. 3, Commissioner, State Election Commission to dispose of Case No. 02 of 2026 (Nawal Kumar Vs. Sadhna Kumari) within a stipulated reasonable time.

iii. To direct the Respondent Authorities to restrain the Respondent No. 10's husband namely Ramakant Kumar from entering into the office of Arwal Nagar Parishad or the premises of same till the disposal of Case No. 02 of 2026 (Nawal Kumar Vs. Sadhna Kumari) as the Respondent No. 10 in collusion with her husband namely Ramkant Kumar tampering the evidence during the pendency of this case.

B. To any other relief/s which the Petitioner is found entitled to.”

3. It is submitted by learned counsel for the petitioner that as per the provisions contained in the Bihar Municipal Act, 2007, the petitioner has filed an application/complaint before the State Election Commission praying therein for disqualifying respondent no.10 from holding the post of Chief Counsellor/Chairman of Arwal Nagar Parishad. A copy of the



complaint has been brought on record as Annexure-P/6 to the writ application. The said complaint filed on 8.1.2026 was registered as Case no.2 of 2026. Learned counsel for the petitioner submits that the same remains pending before the respondent Commission.

4. Having heard learned counsel for the parties and having perused the contents of the petition, the writ application is disposed off with a direction to the respondent State Election Commission to decide the complaint filed by the petitioner in accordance with law within a period of four months from the date of receipt/production of a copy of this order.

5. The writ application stands disposed off.

(Partha Sarthy, J)

saauravkrsinha/-

U			
---	--	--	--

